

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION ("OCD") COMPLIANCE AND ENFORCEMENT MANAGER FOR A COMPLIANCE ORDER AGAINST GLEN A DEVILBISS, FINDING THAT THE OPERATOR IS IN VIOLATION OF THE OIL AND GAS ACT, NMSA 1978, SECTIONS 70-2-1 *et seq.* AND OCD RULES, NMAC 19.15.2 *et seq.*, REQUIRING OPERATOR TO RETURN TO COMPLIANCE WITH DIVISION RULES BY A DATE CERTAIN, AND IN THE EVENT OF NON-COMPLIANCE, REQUEST FOR ADDITIONAL SANCTIONS.

CASE NO. 15315

AFFIDAVIT OF NOTICE

In accordance with Division Rule 19.15.5.10.D NMAC and Division Rule 19.15.4.12 NMAC I hereby certify:

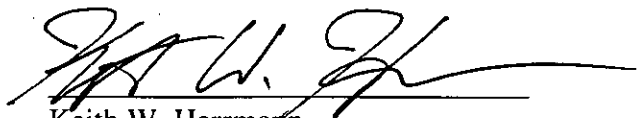
1. Notice of the June 11, 2015 hearing in the above-captioned case was mailed on May 14, 2015 to the following Operator's addresses of record by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:

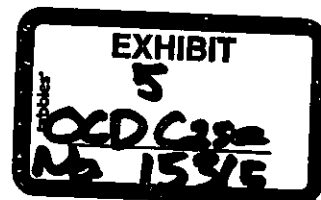
Glen A. DeVilbiss
5495 U.S. Highway 64, NBU 3002,
Farmington, NM 87401

Glen A. DeVilbiss
PO BOX 1798
Bloomfield NM, 87413

2. Attachment A is the returned certified letters that the post office was unable to deliver.

3. Attachment B is the affidavit of publication executed by Mike Kellog of the Daily Times in the County of San Juan, with a copy of the publication.


Keith W. Herrmann
NMOCD Assistant General Counsel



SUBSCRIBED AND SWORN to before me this 10th day of June, 2015.


Notary Public

My Commission Expires: May 09, 2016

State of New Mexico
Energy, Minerals and Natural Resources Department

Susana Martinez
Governor

David Martin
Cabinet Secretary

Brett F. Woods, Ph.D.
Deputy Cabinet Secretary

David Catanach, Division Director
Oil Conservation Division



May 14, 2015

Glen A. DeVilbiss
5495 U.S. Highway 64, NBU 3002,
Farmington, NM 87401

VIA CERTIFIED MAIL, RETURN RECEIPT: 7012 0470 0000 0881 0471

PO BOX 1798
Bloomfield NM, 87413

VIA CERTIFIED MAIL, RETURN RECEIPT: 7012 0470 0000 0881 0488

Re: OCD Case No. 15315 for a Compliance Order against Glen A. DeVilbiss

Dear Mr. DeVilbiss:

You are hereby notified that at 8:15 AM on June 11, 2015, the New Mexico Oil Conservation Division (OCD) will hold a hearing seeking an order against Glen A. DeVilbiss, finding that the operator is in violation of the oil and gas act, NMSA 1978, Sections 70-2-1 et seq. and OCD rules, NMAC 19.15.2 et seq., requiring operator to return to compliance with division rules by a date certain, and in the event of non-compliance, request for additional sanctions. The hearing will be held in Porter Hall at 1220 South St. Francis Dr., Santa Fe, New Mexico.

If you have any questions regarding the hearing process, please contact me at (505) 476-3463.

Sincerely

A handwritten signature in black ink, appearing to read "Keith U. Herrmann", followed by a long horizontal line.

Keith Herrmann
Assistant General Counsel
New Mexico Oil Conservation Division

Attachment A: Returned Certified Letters

Attachment B: Affidavit of Publication

New Mexico Energy, Minerals and
Natural Resources Department
Office of the General Counsel
1220 South St. Francis Drive
Santa Fe, NM 87505

CERTIFIED MAIL™



7012 0470 0000 0881 0488

Glen A. DeVilbiss
PO BOX 1798
Bloomfield NM, 87413

Hasler

05/14/2015

US POSTAGE

FIRST-CLASS MAIL

\$06.69⁰



ZIP 87505
011D11633716

NIXIE 871 FE 1009 0005/18/15

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 87505422599 *0968-03905-14-43

87505422599



New Mexico Energy, Minerals and
Natural Resources Department
Office of the General Counsel
1220 South St. Francis Drive
Santa Fe, NM 87505

CERTIFIED MAIL™



7012 0470 0000 0881 0471

Glen A. DeVilbiss
5495 U.S. Highway 64, NBU 3002,
Farmington, NM 87401

Hasler

05/14/2015

US POSTAGE

FIRST-CLASS MAIL

\$06.69⁰



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RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
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875054225



5-15-15

RETURN
TO SENDER



He 34 ME

- ☐ UNDELIVERABLE AS ADDRESSED
☐ ATTEMPTED NOT KNOWN
☐ INSUFFICIENT ADDRESS
☐ NO MAIL RECEIPTABLE
☐ TEMPORARILY AWAY
☐ NO SUCH NUMBER
☐ NO SUCH STREET
☐ IN DISPUTE
☐ BOX CLOSED
☐ ILLEGAL
☐ UNCLAIMED
☐ MLNA - UNABLE TO FORWARD

AFFIDAVIT OF PUBLICATION

Ad No. 71517

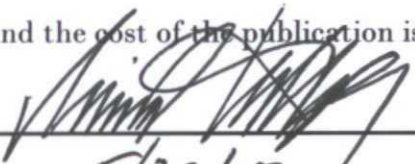
STATE OF NEW MEXICO

County of San Juan:

MIKE KELLOGG, being duly sworn says:
That he IS the ADVERTISING
DIRECTOR of THE DAILY TIMES, a
daily newspaper of general circulation
published in English at Farmington, said
county and state, and that the hereto
attached Legal Notice was published in a
regular and entire issue of the said DAILY
TIMES, a daily newspaper duly qualified for
the purpose within the meaning of Chapter
167 of the 1937 Session Laws of the State of
New Mexico for publication and appeared in
the Internet at The Daily Times web site on
the following day(s):

Tuesday, May 19, 2015

And the cost of the publication is \$91.81


ON 5/22/15 MIKE KELLOGG
appeared before me, whom I know
personally to be the person who signed the
above document.

Christine Sellers



COPY OF PUBLICATION

**NOTICE OF HEARING
STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL
RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO**

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on **June 11, 2015**, in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Net-

work, 1-800-659-1779 by **June 1, 2015**. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed. A party who plans on using projection equipment at a hearing must contact Florene Davidson seven (7) business days prior to the hearing requesting the use of the projection equipment. Wireless internet is available; however, the party must provide its own laptop computer. **Case No. 15315: Application of the New Mexico Oil Conservation Division ("OCD") Compliance and Enforcement Manager for a compliance order against Glen A Devilbiss**, finding that the operator is in violation of the oil and gas act, NMSA 1978, Sections 70-2-1 et seq. and OCD rules, NMAC 19.15.2 et seq., requiring operator to return to compliance with division rules by a date certain, and in the event of non-compliance, request for additional sanctions. Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 14th day of May, 2015.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
David R. Catanach
Director, Oil Conservation Division
S E A L

Legal No. 71517 published in The Daily Times on
May 19, 2015.

RECEIVED OCD
2015 MAY 27 P 3:22